



*"Service with Integrity  
& Excellence"*

## Arkansas Department of Community Correction

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### ADMINISTRATIVE DIRECTIVE: #00-08 LEGAL DOCUMENTS

**TO: DEPARTMENT OF COMMUNITY PUNISHMENT (DCP) EMPLOYEES**

**FROM: G. DAVID GUNTARP, DIRECTOR**

**SUPERSEDES: AD 94-01**

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**APPROVED: \_\_\_\_\_ Signature on File**

**EFFECTIVE: AUGUST 31, 2000**

- I. APPLICABILITY.** This directive applies to DCP employees who have civil lawsuits filed against them for actions undertaken in their official capacities.
- II. POLICY.** Processing of lawsuits received by DCP employees will be accomplished in accordance with this policy which includes Board of Correction and Community Punishment (Board) guidance and procedural guidance from the Board Compliance Attorney.
- III. DEFINITIONS.**
  - A. Employee.** Anyone employed by the DCP at the time of occurrence of an event upon which a lawsuit is based.
  - B. Legal Documents.** Legal documents include complaints, summonses, hearing notices, notices of deposition, interrogatories, requests for production of documents and other documents.
  - C. Service.** Accepting delivery of legal documents by or on behalf of an individual.
- IV. GUIDELINES.** The Board Compliance Office will not accept service for former DCP employees. However, the Board Compliance Office will accept service for present DCP employees who have lawsuits filed against them by offenders.
  - A.** DCP employees must comply with this directive or they may be held personally liable. Former employees are responsible for maintaining a current address with the DCP for (5) years after terminating employment with the agency and to follow the procedures below or they will be personally liable for any lawsuit.

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*"There is good in all people; how we deal with them determines how much of it we see."*

- B.** When a DCP employee receives a lawsuit document that was filed by an offender, he or she shall immediately forward the original version to the Board Compliance Attorney and a copy to the Agency Attorney Specialist. If the lawsuit document was not filed by an offender, the employee shall immediately forward the original to the Agency Attorney Specialist. Employees must promptly notify their immediate supervisor when lawsuit documents are received. The supervisor shall then notify appropriate others in the supervisory chain.
- C.** The Agency Attorney Specialist shall be responsible for the following actions:
1. notifying the Director or Deputy Director;
  2. forwarding legal documents to the Attorney General and Board Compliance Attorney's Offices;
  3. recommending an investigation when deemed appropriate, and
  4. coordinating information, as appropriate.
- V. STANDARDS.** American Correctional Association Standards for Adult Community Residential Services, 3<sup>rd</sup> edition, 3-ACRS-1A-21, and Standards for Adult Probation and Parole Field Services, 3rd edition, 3-3031.